



STAFF REPORT

SAUSALITO CITY COUNCIL

AGENDA TITLE:

Waive further reading and adopt Ordinance No. 1195, an Ordinance of the City Council of the City of Sausalito Amending Section 2.08.100 of the Sausalito Municipal Code Authorizing the City Manager to Appoint the City Clerk

RECOMMENDED MOTION:

Waive further reading and adopt Ordinance No. 1195, an Ordinance of the City Council of the City of Sausalito Amending Section 2.08.100 of the Sausalito Municipal Code Authorizing the City Manager to Appoint the City Clerk

DISCUSSION

On May 26, 2009, the City Council introduced and gave first reading to an ordinance authorizing the City Manager to appoint the City Clerk. Following its introduction, Council discussions and public input, no revisions were made.

Attached you will find a full copy of the ordinance as it was introduced. Ordinance No. 1195 will be published, in its entirety, within fifteen days after the adoption and go into effect thirty (30) days after the second reading.

FISCAL IMPACT

n/a

STAFF RECOMMENDATIONS

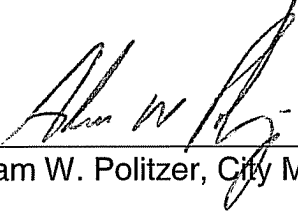
Waive further reading and adopt Ordinance No. 1195, an Ordinance of the City Council of the City of Sausalito Amending Section 2.08.100 of the Sausalito Municipal Code Authorizing the City Manager to Appoint the City Clerk

ATTACHMENTS

Ordinance No. 1195

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SUBMITTED BY:



Adam W. Politzer, City Manager

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ORDINANCE NO. 1195

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
AMENDING CHAPTER 2.08.100 OF TITLE 2 OF THE SAUSALITO
MUNICIPAL CODE REGARDING THE APPOINTMENT OF A CITY CLERK**

WHEREAS, California Government Code Section 36501 sets forth the governing officers of a general law city, one being the City Clerk; and

WHEREAS, California Government Code Section 36510 states that the position of the City Clerk shall be appointed by and serve at the pleasure of the City Council unless the City Council, by ordinance, vests in the City Manager its authority to appoint such position; and

WHEREAS, according to Section 2.08.100 of the Sausalito Municipal Code, the City Manager does not currently have the authority to appoint the position of the City Clerk; and

WHEREAS, the City Council desires to amend Section 2.08.100 to give the City Manager the authority to appoint the position of the City Clerk, along with his/her duties to appoint, remove, promote and demote any and all other officers and employees of the city, except the city attorney and treasurer.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF
SAUSALITO HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Section 2.08.100 of Title 2, Chapter 2.08 of the Sausalito Municipal Code is hereby amended as follows:

A. Section 2.08.100 is hereby added to read as follows:

“2.08.100 Power of appointment, removal, promotion and demotion. It shall be the duty of the city manager to appoint, remove, promote and demote any and all officers, inclusive of the city clerk, and any and all employees of the city, except the city attorney and city treasurer, subject to the rules and regulations of the civil service commission.”

B. Unless otherwise amended pursuant to this Section 1, all of the remaining provisions of Chapter 2.08 shall remain in full force and effect.

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SECTION 2.

If any section or portion of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3:

This Ordinance shall be in full force and effect thirty (30) days after the date of its adoption.

SECTION 4:

This Ordinance shall be published once within fifteen (15) days after its passage and adoption in a newspaper of general circulation in the City of Sausalito.

THE FOREGOING ORDINANCE was first read at a regular meeting of the Sausalito City Council on the 26th day of May, 2009, and was adopted at a regular meeting of the Sausalito City Council on the _____ day of _____, 2009 by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Mayor of the City of Sausalito

ATTEST:

Deputy City Clerk

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